

**MORRISON & FOERSTER LLP**

Attorneys at Law  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

To: Examiner Steven Rawlings  
USPTO

Facsimile: (703) 308-4426  
Phone: (703) 305-3008

From: Jill A. Jacobson

Date: December 4, 2001

We are transmitting a total of 43 pages (including this page).  
Original or hard copy to follow if this box is checked ☐.

If you do not receive all pages, please call (650) 813-5876 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 6823/MYL

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

**Comments:**

Re: U.S. Patent Application Serial No. 08/836,455  
For: MURINE MONOCLONAL ANTI-IDIOTYPE 11D10 AND METHODS  
OF USING THEREOF  
By: Malaya CHATTERJEE, et al.  
Attorney Docket No.: 304142000322

Dear Examiner Rawlings,

Enclosed per your request is the Amendment we filed on October 24, 2001 along with the accompanying documents. I have also enclosed a copy of the Express Mail label indicating that the document were mailed on October 24, 2001.

If you have any questions or if you need anything further, please do not hesitate to call me at (650) 813-5876.

Very truly yours,  
Jill A. Jacobson

# POST OFFICE TO ADDRESSEE



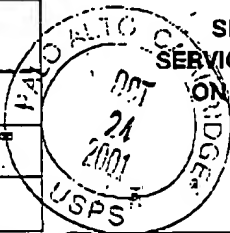
EL569182085US

Customer Copy  
Label 11-5 July 1997

## ORIGIN (POSTAL USE ONLY)

PO ZIP Code 94306	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>
Date In 10/24/01	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM	Postage \$ 16.25
Time In 4:33 PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
Weight 0.5 lbs.	Int'l Alpha Country Code	COD Fee Insurance Fee
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$ 16.25

SEE REVERSE SIDE FOR  
SERVICE GUARANTEE AND LIMITS  
ON INSURANCE COVERAGE



## CUSTOMER USE ONLY

METHOD OF PAYMENT: Express Mail Corporate Acct. No. 1945848	<input type="checkbox"/> WAFER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.
Federal Agency Acct. No. or Postal Service Acct. No.	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday

FROM: (PLEASE PRINT) PHONE ( )  
MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO CA 94304-1018

TO: (PLEASE PRINT) PHONE ( )  
~~XXXXXXXXXXXXXXXXXXXX~~  
ASSISTANT COMMISSIONER  
TAX PATENTS  
WASHINGTON, D.C. 20231

PRESS HARD.

You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811

www.usps.gov



EL569182085US

ATTORNEY DOCKET: 304142000322

DATE: October 24, 2001

SERIAL NO.: 08/836,455

FILED: May 9, 1997

INVENTOR(S): Malaya CHATTERJEE, et al.

ATTY/secty: JAJ5/myl1

TITLE: MURINE MONOCLONAL ANTI-IDIOTYPE ANTIBODY 11D10 AND METHODS OF USE THEREOF

Certificate of Express Mailing - Express Mail Label No. EL569182085US

Papers enclosed:

1. Transmittal Form (1 page)
2. Fee Transmittal (original and copy for fee processing) (2 pages total)
3. Extension of Time Request (1 page)
4. Amendment (18 pages)
5. Attachment entitled Currently Pending Claims after 10/24/01 Amendment (5 pages)
6. Copy of Deposit Receipt from American Type Culture Collection (1 page)
7. Copy of previously filed Declaration of Malaya Bhattacharya-Chatterjee (7 pages)
8. Copy of previously filed Declaration of Sunil K. Chatterjee (4 pages)
9. Copy of previously filed Declaration of Kenneth A. Foon (2 pages)
10. Return receipt postcard

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE  
pa-636685

*lp*

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐Approved for use through 10/31/02. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

41

Application Number 06/836,455

Filing Date May 9, 1997

First Named Inventor Malaya CHATTERJEE

Group Art Unit 1642

Examiner Name S. Rawlings

Attorney Docket No. 304142000322

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (original and copy for fee processing) (2 pages)	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply (18 pages)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request (1 page)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Abandonment entitled Currently Pending Claims after 10/24/01
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Amendment (5 pages);
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of Deposit Receipt from American Type Culture Collection (1 page);
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		Copy of Previously Filed Declaration of Malaya Chatterjee (7 pages);
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		Copy of Previously Filed Declaration of Declaration of Sunil K. Chatterjee (4 pages);
		Copy of Previously Filed Declaration of Kenneth A. Foon (2 pages);
		Return Receipt Post Card

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual Name	Morrison & Foerster, LLP, 755 Page Mill Road, Palo Alto, CA 94304
Signature	Catherine M. Polizzi
Date	October 24, 2001

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EL569162085US

Date of Deposit: October 24, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Tamara Alcaraz

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

pa-636682

2000 2.00



# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301) 231-5520 Telex: 908-768 ATCCROVE • FAX: 301-416-4366

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

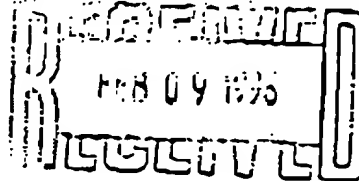
### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Dr. Malaya Chatterjee  
University of Kentucky  
207 Combs Research Building  
Markey Cancer Center  
800 Rose Street  
Lexington, KY 40536-0096

Louis, Bruce, LeBlanc & Becker



Deposited on Behalf of: Dr. Malaya Chatterjee

Identification Reference by Depositor:

ATCC Designation

Murine Monoclonal Hybridoma cells, MC10-11D10-1D10 HB 12020

The deposit was accompanied by: ☐ a scientific description ☐ a proposed taxonomic description indicated above.

The deposit was received January 17, 1996 by this International Depository Authority and has been accepted.

#### AT YOUR REQUEST:

☒ We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested January 30, 1996. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey  
Barbara M. Hailey, Administrator, ATCC Patent Deposit ry

Date: February 6, 1996

cc: Demetra J. Mills